

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA, *et al.*,

Plaintiffs,

v.

JETBLUE AIRWAYS CORPORATION and
SPIRIT AIRLINES, INC.,

Defendants.

Civil Action No. 1:23-cv-10511-WGY

**DECLARATION OF EDWARD W. DUFFY IN SUPPORT OF PLAINTIFFS’
OPPOSITION TO DEFENDANTS’ MOTION IN LIMINE
TO ESTOP THE UNITED STATES AND OVERRULE OBJECTIONS**

I, Edward W. Duffy, pursuant to 28 U.S.C. 1746, hereby declares as follows:

1. I am an attorney with the Antitrust Division of the United States Department of Justice, and counsel of record for the United States in this case. I have personal knowledge of the matters recited herein, and if called upon to testify, I could and would testify competently thereto.

2. Attached as Exhibit A is a true and correct copy of the Complaint in *United States v. Am. Airlines Grp. Inc.*, No. 21-cv-11558 (D. Mass.) (“the NEA Case”).

3. Attached as Exhibit B is a true and correct copy of the cited portions of Plaintiffs’ Proposed Findings of Fact and Conclusions of Law in the NEA Case.

4. Attached as Exhibit C is a true and correct copy of the cited portions of the Transcript of the Deposition of Dr. Gautam Gowrisankaran, dated September 1, 2023.

5. Attached as Exhibit D is a true and correct copy of the cited portions of the Transcript of the Deposition of Dr. Nicholas Hill, dated September 6, 2023.

I declare under penalty of perjury the foregoing is true and correct.

Executed on September 20, 2023 in Washington, District of Columbia.

/s/ Edward W. Duffy
Edward W. Duffy